

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 22-0569.01 Jessica Herrera x4218

HOUSE BILL 22-1102

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A BILL FOR AN ACT

101 **CONCERNING PROTECTED CLASSES IN FAIR HOUSING PRACTICES, AND,**
102 **IN CONNECTION THEREWITH, INCLUDING A VETERAN OR**
103 **MILITARY STATUS AS A PROTECTED CLASS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill forbids anyone selling or renting a dwelling from discriminating against an individual based on their veteran or military status. The bill forbids anyone from refusing to negotiate for housing with an individual on the basis of their veteran or military status or otherwise denying or withholding housing on the basis of an individual's veteran or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
February 9, 2022

HOUSE
Amended 2nd Reading
February 8, 2022

military status. For purposes of the bill, an individual who was dishonorably discharged from military service does not have veteran or military status.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-501, **amend**
3 **(3) and (4); and add (7) as follows:**

4 **24-34-501. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (3) "Person" has the meaning ascribed to such term in section
7 24-34-301 (5) and includes any owner, lessee, proprietor, manager,
8 employee, or any agent of a person; but, for purposes of this part 5,
9 "person" does not include any private club not open to the public that, as
10 an incident to its primary purpose or purposes, provides lodgings that it
11 owns or operates for other than a commercial purpose, unless the club has
12 the purpose of promoting discrimination in the matter of housing against
13 any person because of disability, race, creed, color, religion, sex, sexual
14 orientation, gender identity, gender expression, marital status, familial
15 status, VETERAN OR MILITARY STATUS, national origin, or ancestry.

16 (4) "Restrictive covenant" means any specification limiting the
17 transfer, rental, or lease of any housing because of disability, race, creed,
18 color, religion, sex, sexual orientation, gender identity, gender expression,
19 marital status, familial status, national origin, or ancestry, OR VETERAN OR
20 MILITARY STATUS, or limiting the rental or lease of any housing because
21 of source of income.

22 (7) "VETERAN OR MILITARY STATUS" MEANS A MEMBER OR
23 VETERAN OF THE UNITED STATES ARMED FORCES, UNITED STATES
24 ARMED FORCES RESERVE, OR UNITED STATES NATIONAL GUARD.

1 "VETERAN OR MILITARY STATUS" DOES NOT INCLUDE AN INDIVIDUAL WHO
2 WAS DISHONORABLY DISCHARGED FROM MILITARY SERVICE.

3 **SECTION 2.** In Colorado Revised Statutes, 24-34-502, **amend**
4 (1)(a), (1)(b), (1)(d), (1)(g), (1)(h), (1)(i), (1)(j), and (6); and **add (10)** as
5 follows:

6 **24-34-502. Unfair housing practices prohibited - definitions.**

7 (1) It is an unfair housing practice, unlawful, and prohibited:

8 (a) For any person to refuse to show, sell, transfer, rent, or lease
9 any housing; refuse to receive and transmit any bona fide offer to buy,
10 sell, rent, or lease any housing; or otherwise make unavailable or deny or
11 withhold from an individual any housing because of disability, race,
12 creed, color, sex, sexual orientation, gender identity, gender expression,
13 marital status, familial status, VETERAN OR MILITARY STATUS, religion,
14 national origin, or ancestry; to discriminate against an individual because
15 of disability, race, creed, color, sex, sexual orientation, gender identity,
16 gender expression, marital status, familial status, VETERAN OR MILITARY
17 STATUS, religion, national origin, or ancestry in the terms, conditions, or
18 privileges pertaining to any housing or the transfer, sale, rental, or lease
19 of housing or in furnishing facilities or services in connection with
20 housing; or to cause to be made any written or oral inquiry or record
21 concerning the disability, race, creed, color, sex, sexual orientation,
22 gender identity, gender expression, marital status, familial status,
23 VETERAN OR MILITARY STATUS, religion, national origin, or ancestry of an
24 individual seeking to purchase, rent, or lease any housing; however,
25 nothing in this subsection (1)(a) requires a dwelling to be made available
26 to an individual whose tenancy would constitute a direct threat to the
27 health or safety of other individuals or whose tenancy would result in

1 substantial physical damage to the property of others;

2 (b) For any person to whom application is made for financial
3 assistance for the acquisition, construction, rehabilitation, repair, or
4 maintenance of any housing to make or cause to be made any written or
5 oral inquiry concerning the disability, race, creed, color, sex, sexual
6 orientation, gender identity, gender expression, marital status, familial
7 status, VETERAN OR MILITARY STATUS, religion, national origin, or
8 ancestry of an individual seeking financial assistance or concerning the
9 disability, race, creed, color, sex, sexual orientation, gender identity,
10 gender expression, marital status, familial status, VETERAN OR MILITARY
11 STATUS, religion, national origin, or ancestry of prospective occupants or
12 tenants of the housing, or to discriminate against any individual because
13 of the disability, race, creed, color, sex, sexual orientation, gender
14 identity, gender expression, marital status, familial status, VETERAN OR
15 MILITARY STATUS, religion, national origin, or ancestry of the individual
16 or prospective occupants or tenants in the terms, conditions, or privileges
17 relating to obtaining or using any such financial assistance;

18 (d) For any person to make, print, or publish or cause to be made,
19 printed, or published any notice or advertisement relating to the sale,
20 transfer, rental, or lease of any housing that indicates any preference,
21 limitation, specification, or discrimination based on disability, race, creed,
22 color, religion, sex, sexual orientation, gender identity, gender expression,
23 marital status, familial status, VETERAN OR MILITARY STATUS, national
24 origin, or ancestry;

25 (g) For any person whose business includes residential real
26 estate-related transactions, which transactions involve making or
27 purchasing loans secured by residential real estate or providing other

1 financial assistance for purchasing, constructing, improving, repairing, or
2 maintaining a dwelling or selling, brokering, or appraising residential real
3 property, to discriminate against an individual in making available such
4 a transaction or in fixing the terms or conditions of such a transaction
5 because of race, creed, color, religion, sex, sexual orientation, gender
6 identity, gender expression, marital status, disability, familial status,
7 VETERAN OR MILITARY STATUS, national origin, or ancestry;

8 (h) For any person to deny an individual access to or membership
9 or participation in any multiple-listing service, real estate brokers'
10 organization, or other service, organization, or facility related to the
11 business of selling or renting dwellings or to discriminate against the
12 individual in the terms or conditions of such access, membership, or
13 participation on account of race, creed, color, religion, sex, sexual
14 orientation, gender identity, gender expression, disability, marital status,
15 familial status, VETERAN OR MILITARY STATUS, national origin or ancestry,
16 or source of income;

17 (i) For any person, for profit, to induce or attempt to induce any
18 person to sell or rent any dwelling by representations regarding the entry
19 or prospective entry into the neighborhood of any individual of a
20 particular race, color, religion, sex, sexual orientation, gender identity,
21 gender expression, disability, familial status, VETERAN OR MILITARY
22 STATUS, creed, national origin, or ancestry;

23 (j) For any person to represent to any other person that a dwelling
24 is not available for inspection, sale, or rental, when the dwelling is in fact
25 available, for the purpose of discriminating against any individual on the
26 basis of race, color, religion, sex, sexual orientation, gender identity,
27 gender expression, disability, familial status, VETERAN OR MILITARY

1 STATUS, creed, national origin, or ancestry;

2 (6) Nothing in this part 5 prohibits a person engaged in the
3 business of furnishing appraisals of real property from taking into
4 consideration factors other than race, creed, color, religion, sex, sexual
5 orientation, gender identity, gender expression, marital status, familial
6 status, VETERAN OR MILITARY STATUS, disability, religion, national origin,
7 or ancestry.

8 (10) NOTHING IN THIS PART 5 PROHIBITS A SELLER OF PROPERTY
9 FROM CONSIDERING LEGITIMATE AND NON-DISCRIMINATORY FACTORS
10 WHEN DECIDING WHETHER TO ACCEPT AN OFFER.

11 **SECTION 3. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly; except
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V
15 of the state constitution against this act or an item, section, or part of this
16 act within such period, then the act, item, section, or part will not take
17 effect unless approved by the people at the general election to be held in
18 November 2022 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.